

ORDINANCE NO. 1289

AN ORDINANCE OF THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA, AMENDING SEC. 30-107, "DEFINITIONS" TO ADD DEFINITIONS FOR "GOODS", "RENTAL", "SALE" AND "SERVICES"; AMENDING SEC. 30-605, "BUSINESS ACTIVITIES" TO ADD A NEW SUBSECTION (d) PROHIBITING SALES/RENTALS AND SOLICITATION OF SALES/RENTALS AND COMMERCIAL FUNDRAISING ON BEACHES WITHIN THE CITY; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE

WHEREAS, the City Council of Satellite Beach recognizes the need to maintain safe, accessible, and enjoyable public beaches for all residents and visitors; and

WHEREAS, recent discussions regarding concessions at The Vue and other activities at or on the beach highlighted the need for clear policy on commercial activity on beaches owned and/or regulated by the City; and

WHEREAS, the City Council desires to clearly establish that the sale and rental of goods and services on the beach are prohibited, except when specifically authorized through a special event permit in designated areas.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL FOR THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA, as follows:

SECTION 1. The foregoing recitals are true and correct and by this reference are incorporated herein.

SECTION 2. Section 30-107, Satellite Beach City Code, is hereby amended to add new definitions as follows:

ARTICLE I. – GENERAL PROVISIONS

30-107, Definitions.

* * * * *

Goods means any wares, products, commodities, merchandise, equipment, chattels, or any articles or subjects of commerce of any character, or any part or ingredient thereof, and, specifically including, but not limited to, in such definition, are food and beverages.

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Rental means the provision of any tangible personal property that does not include the transfer of title or ownership to such tangible personal property, including by license, bailment or any similar arrangement, for consideration of any form or manner.

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Sale means the exchange or transfer of goods or services in exchange for money, barter, or any other form or manner of consideration.

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Services means any activity provided for consideration of any form or manner, including but not limited to any profession, rental, lessons, classes, or entertainment.

SECTION 3. Section 30-605, Satellite Beach City Code is amended to add a new subsection (d) to read as follows:

Sec. 30-605. Business Activities.

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(d) The sale or rental of goods or services (or both) at or on any beach, or part thereof, within the City is prohibited, except as specifically authorized by a special event permit duly issued by the City. Further, the solicitation of the sale or rental of goods, services (or both), or real property, which goods, services (or both) or real property is/are located other than at or on any beach, or part thereof, within the City is prohibited, as well as soliciting funds for a commercial purpose. For purposes of this ordinance, solicitation means any act of attempting to sell or rent goods, services, or real property or to raise funds for a commercial purpose, through direct or indirect contact with individuals, including, but not limited to, using words, body gestures, or signs, on behalf of a business or commercial entity.

SECTION 4. SEVERABILITY CLAUSE. In the event a court of competent jurisdiction shall hold or determine that any part of this Ordinance is invalid or unconstitutional, the remainder of the Ordinance shall not be affected and it will be presumed that the City Council for the City of Satellite Beach did not intend to enact such invalid or unconstitutional provision. It shall further be assumed that the City Council would have enacted the remainder of this Ordinance without said invalid and unconstitutional provision thereby causing said remainder to remain in full force and effect.

SECTION 5. REPEAL OF INCONSISTENT PROVISIONS. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6. EFFECTIVE DATE. This Ordinance shall become effective

immediately upon its adoption.

SECTION 7. This Ordinance was duly passed on first reading at a regular meeting of the City Council on the 3rd day of June 2026, and adopted on the second and final reading at the regular meeting of the City Council on the ___ day of _____, 2026.

STEVEN L. OSMER, MAYOR

ATTEST:

GWEN PEIRCE, CITY CLERK